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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ANNUITY, PENSION, WELFARE and TRAINING
FUNDS OF THE INTERNATIONAL UNION OF
OPERATING ENGINEERS LOCAL 14-14B, AFL-CIO,
et al.,

Plaintiffs,

-against-

BEDROC GROUP LLC,

Defendant.

X

11-CV-5323 (ARR) (RLM)

NOT FOR ELECTRONIC
OR PRINT PUBLICATION

ORDER

X

ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated November 8, 2012, from the Honorable Roanne L. Mann, United States Magistrate Judge. No objections have been filed. Accordingly, the court has reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Brissett v. Manhattan & Bronx Surface Transit Operating Auth., No. 09-CV-1930682 (CBA) (LB), 2011 WL 1930682, at *1 (E.D.N.Y. May 19, 2011). Having reviewed the record, I find no clear error. I hereby adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Plaintiff's motion for a default judgment is therefore denied without prejudice, and the case is dismissed for lack of subject matter jurisdiction.

SO ORDERED.

/s/(ARR)

Allyne R. Ross
United States District Judge

Dated: January 2, 2012
Brooklyn, New York